

**Maryland***Holding Power Accountable***2024 LEGISLATIVE REVIEW**

Common Cause Maryland entered the 2024 legislative session hopeful that, with the legislature and the administration now settled into their roles and largely on the same page, we would see progress on several issues that we have been fighting tirelessly for over the past few years. We spent the interim working closely with lawmakers to help craft tailored legislation meant to protect and expand the rights of all eligible Maryland voters — an especially important goal as we move through another critical presidential election cycle.

Unfortunately, despite our best efforts and attempts to compromise, we saw little movement on many of our priority bills. Though we were disappointed, with your help, Common Cause Maryland made some progress. Learn more about our priorities and which bills passed into law below.

Passed  Failed

**Voting and Elections**

**Special Elections** – This bill would have amended the state Constitution to require a special election to fill a seat vacated by a member of the Maryland General Assembly in any instance where a vacancy occurs within a specific timeframe prior to the candidate filing deadline. While not a completely perfect solution, this would have ensured that voters get to exercise one of our most fundamental constitutional rights: the right to select by a majority vote the elected officials who should represent them in public office. **SB 29, HB 412 (Sen. Kagan, Del. Foley)**

**Protections for Election Officials** – Election officials throughout Maryland and the nation are demanding that protections be put in place as they prepare for upcoming elections. Many of them have been the target of ongoing threats and harassment, with some even leaving their roles out of fear. This session we passed legislation to ensure election officials – state, local, and even election judges – feel safe at work during the 2024 election cycle. **HB 585, SB 480 (Governor Moore)**

**Expand Language Access** – While we have passed reforms that have made our elections more accessible, Maryland voters only benefit if the options for voting and the overall process are in a language they can understand. The multilingual elections legislation aimed to change the language access threshold that triggers translations in a county from 5% to 2%, expanding the number of languages that are required for the translation of almost all election-related materials in jurisdictions meeting the new threshold. It provided a mechanism for reviewing translated materials before being finalized and provided voters with the option to ask questions in their language using a secure nonpartisan hotline managed by the State Board of Elections. **HB 563 (Del. Mireku-North)**

**Voting Access for Incarcerated and Returning Citizens** – We continue to work with the Expand the Ballot coalition to ensure returning citizens and eligible incarcerated citizens are made aware of their right to vote and have meaningful access to voting and voting information. This session, we testified in support of two reforms. The first aimed to expand the agencies covered by our automatic voter registration program to also include the Department of Public Safety and Correctional Services, affirming for returning citizens that their right to vote has

in fact been restored while providing the opportunity to register to vote as they leave. The second, Voting Rights for All Act, would have put an end to felony disenfranchisement. **HB 627 | HB 1022 (Del. Wilkins)**

☐ **Greater Access to Voter Registration** – Thousands of eligible Marylanders have registered to vote or updated their registration through our Automatic Voter Registration (AVR) program, increasing the number of eligible voters who regularly receive information about our elections. This session, we aimed to build on the success of the program with an update that would streamline our AVR process, removing unnecessary steps for registration and decreasing the number of eligible voters who unintentionally decline registration while engaging with agencies like the Motor Vehicle Administration. We also supported efforts to lower the pre-registration age from 16 years old to 15 years and 9 months, providing young people the opportunity to register when they first become eligible to apply for a learner’s permit. The small but impactful change would have helped engage the next generation of civic leaders. **SB 605, HB 1088 (Sen. M. Washington, Del. Feldmark) | SB 515, HB 436 (Sen. A. Washington, Del. Fair)**

☐ **Risk-Limiting Audits** - This legislation would have allowed our state and local election boards to use “the gold standard” for post-election ballot audits in an era when the integrity of our election systems face unprecedented domestic and international threats. Risk-limiting audits ensure that if and when vote counting machines fail, we have an automatic process to check on the software counts and correct them if they are wrong. **SB 523, HB 40 (Sen. M. Washington, Del. Kaiser)**

## Fair Representation

☐ **Maryland Voting Rights Act** – Reintroduced this session with amendments based on feedback received from legislators, this legislation would have created a civil right of action against voter intimidation or obstruction, offered expanded resources for non-English speaking voters, and made addressing voter discrimination complaints an overall less costly and complicated affair. We lobbied to codify several aspects of the landmark 1965 federal Voting Rights Act with enhancements tailored to protect all Maryland voters – but unfortunately, legislators again chose not to act. **SB 660, HB 800 (Sen. Sydnor, Del. Smith)**

## Money and Influence

☐ **Expansion of Public Campaign Financing to Additional Local Offices** - These bills would have allowed the expansion of small dollar public campaign finance programs already functioning in many counties to other offices, including State’s Attorney, sheriff, register of wills, Judge of the Circuit Court, Judge of the Orphan’s Court, and elected members of the county Board of Education. Campaign finance programs uplift the voices of regular Marylanders and empower those with community supported ideas who may not have connections to deep-pocketed interests. **HB 769 (Del. Feldmark)**

☐ **Draft and Exploratory Committees** - This legislation would have applied certain campaign finance requirements and prohibitions to draft committees and exploratory committees to ensure that everyday citizens are able to trace who is making donations and what special interests are being amplified in that process. Given the amount of money spent just testing the feasibility of an individual’s candidacy, we believe both draft and exploratory committees should be subject to the same level of scrutiny. **SB 16, HB 792 (Sen. Kagan, Del. D. Jones)**

## Transparency and Accountability



**Election Administration Oversight** - The State Administrator of Elections — the chief election official in Maryland — is appointed by the State Board of Elections (SBE) with the advice and consent of the Senate and serves at the pleasure of the board. This legislation requires that SBE evaluate the performance of the State Administrator at least annually. **SB 417, HB 459 (Sen. Hayes, Del. D. Jones)**

**Postelection Certification Procedures** - Following each election, local boards of canvassers and the Board of State Canvassers undertake procedures to verify the accuracy of the election results and certify the election. This legislation makes changes to that process to comply with the federal Electoral Count Reform Act of 2022. The bill also requires a local board of canvassers to investigate, in consultation with the State Administrator, if it determines that there appears to be an error in documents or records produced during the election. **SB 494, HB 471 (Sen. Kagan, Del. Fair)**

### Other Initiatives

**Averted Dangerous Calls for a Constitutional Convention** – We averted calls for a constitutional convention, which would have placed every constitutional right and protection currently available to American citizens in jeopardy.

**Disclosure and Regulation of Synthetic Media (AI)** - This legislation would have required that individuals disclose any deepfake or AI-generated media content being distributed to the public to the SBE. It would also give SBE the authority to label or remove such content when necessary. **SB 978 (Sen. Hester)**

**Disclosure of Use of Synthetic Media (AI)** - This legislation would have required individuals seeking public office, working on campaigns, managing campaign finance entities, and others publishing campaign-related materials to disclose that the content is AI-generated. **HB 872 (Del. Kaiser)**

